



**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**Tentative Notice of Action**

*Promoting the wise use of land  
Helping build great communities*

MEETING DATE <b>August 5, 2016</b> LOCAL EFFECTIVE DATE <b>August 19, 2016</b> APPROX. FINAL EFFECTIVE DATE <b>September 9, 2016</b>	CONTACT/PHONE <b>Airlin M. Singewald</b> <b>(805) 781-5198</b> <b>asingewald@co.slo.ca.us</b>	APPLICANT <b>Verizon Wireless</b>	FILE NO. <b>DRC2015-00078</b>
SUBJECT A request by <b>VERIZON WIRELESS</b> for a Minor Use Permit/Coastal Development Permit (DRC2015-00078) to allow the construction and operation of an unmanned wireless communications facility, consisting of one 4' tall cylindrical antenna on a new 43' tall utility pole that would replace an existing 34'-7" utility pole, two approximately 1.5' square equipment boxes ("RRUs") mounted at a height of 12' on the replacement pole, two ground mounted equipment cabinets of 50" and 39" in height within a 5' tall wooden fenced enclosure (4' x 7') at the base of the replacement pole, and associated utilities and mounting hardware. The proposed project will result in approximately 50 square feet of site disturbance in the Residential Single Family land use category. The project site is located in the County right-of-way on and adjacent to utility pole #199, in front of 2025 Oxford Avenue, about midway between Emmons Road and Kerwin Street, in the community of Cambria. The site is in the North Coast planning area.			
RECOMMENDED ACTION Approve Minor Use Permit DRC2015-00078 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A Class 3 Categorical Exemption was issued on July 8, 2016 (ED15-317).			
LAND USE CATEGORY <b>Right of Way Adjacent to Residential Single Family</b>	COMBINING DESIGNATION <b>Geologic Study Area, Terrestrial Habitat, Local Coastal Plan, Archaeologically Sensitive Area</b>	ASSESSOR PARCEL NUMBER <b>County right-of-way</b>	SUPERVISOR DISTRICT(S): <b>2</b>
PLANNING AREA STANDARDS: <b>Monterey Pine Forest Terrestrial Habitat (TH), Water Conservation Requirements, Cambria Community Services District Review, Cambria Fire Department Review, Erosion Control, Landscaping, Exterior Lighting, and Height Limitations</b> <i>Does the project meet applicable Planning Area Standards: Not applicable</i>			
LAND USE ORDINANCE STANDARDS: <b>Coastal Commission Appealable Zone, Geologic Study Area (GSA), Local Coastal Program, Environmentally Sensitive Habitat (ESH), Terrestrial Habitat Protection, and Telecommunications Facilities</b> <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing. The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242			

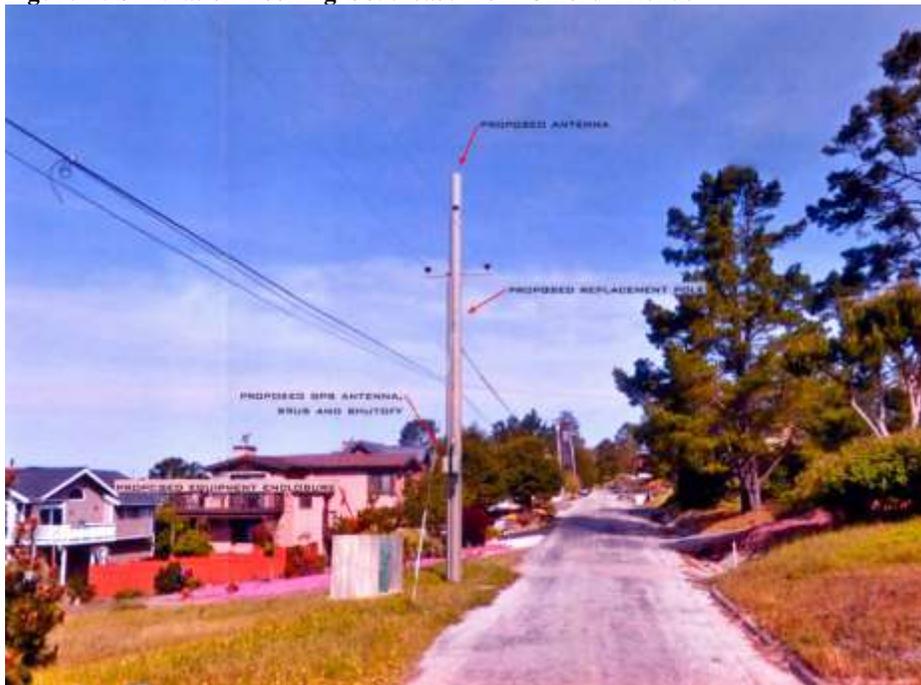
EXISTING USES: County right-of-way, utility pole	
SURROUNDING LAND USE CATEGORIES AND USES: North: Residential Single Family / single family residences, vacant parcel East: Residential Single Family / single family residences South: Residential Suburban / single family residences West: Residential Single Family / single family residences	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Environmental Health, Cambria Community Services District (water / sewer / fire), California Coastal Commission, North Coast Advisory Council (Cambria)	
TOPOGRAPHY: Generally level	VEGETATION: Non-native grasses
PROPOSED SERVICES: Water supply: N/A Sewage Disposal: N/A Fire Protection: Cambria CSD Fire Department	ACCEPTANCE DATE: June 30, 2016

DISCUSSION

**Project Description**

Verizon Wireless is proposing to relocate an existing 34'-7" utility pole with a new 43' utility pole and install a new telecommunications facility consisting of one 4' tall cylindrical antenna and two 1.5' square equipment boxes ("RRUs") mounted on the new pole. The antenna would be mounted on top of the pole and the RRUs would be mounted at a height of about 12'. The proposed facility would also include two ground mounted equipment cabinets of 50" and 39" in height within a 5' tall wooden fenced enclosure (4' x 7') at the base of the replacement pole, and associated utilities and mounting hardware.

**Figure 1: Simulation Looking Southeast from Oxford Avenue**



## PLANNING AREA STANDARDS

As described below, the proposed project complies with applicable standards of the North Coast Area Plan.

### Combining Designations

#### Monterey Pine Forest Terrestrial Habitat (SRA) (TH)

The purpose of these standards is to minimize tree removal and avoid impacts to the sensitive Monterey pine forest habitat. All development within Monterey pine forest (TH) shall include the following minimum standards:

- A. **Establishment of a 'project limit area'.** A project limit area shall be established in a manner that avoids Monterey pine forest impacts to the maximum extent feasible, is located on the least sensitive portion of the site, and safeguards the biological continuance of the habitat. The project limit area shall include all areas of the site where vegetation will need to be trimmed or removed for fire safety purposes.
- B. **New Development siting.** Applications for new development within the Monterey pine forest shall demonstrate that no native vegetation outside the "project limit area" shall be removed, except for trees identified as hazardous by a qualified professional.
- C. **Plan Requirements.** All site, construction and grading plans submitted to the County shall identify by species and diameter all Monterey pine trees that are six inches or more in diameter 4.5 feet above ground and oak trees four inches or more in diameter 4.5 feet above ground identified by species and diameter. The plans shall indicate which trees are to be retained and which trees are proposed for removal.
- D. **Construction Practices.** Construction practices to protect Monterey pines, oak trees and significant understory vegetation shall be implemented.
- E. **Replacement of Vegetation.** Any Monterey pine trees that are six inches or more in diameter 4.5 feet above the ground shall be replaced at a 4:1 ratio for each tree removed, and at a 2:1 ratio for each tree impacted but not removed. Any oak trees that are four inches in diameter 4.5 feet above ground shall be replaced at a 6:1 ratio for each tree removed, and at a ratio of 3:1 ratio for each tree impacted but not removed. All open areas of the site disturbed by project construction are to be seeded with native, drought and fire resistant species that are compatible with the habitat value of the surrounding forest.
- F. **Understory Vegetation Removal.** No understory vegetation shall be removed until a permit has been issued or unless an immediate hazardous condition exists. Understory vegetation removal to create, improve, or maintain adequate defensible space and Fire Hazard Fuel Reduction shall be the minimum necessary

*The proposed project complies with this standard because the facility will result in minimal ground disturbance (approximately 50 square feet) adjacent to an undeveloped parcel in the*

*county right-of-way. No native vegetation will be removed or disturbed as a result of this project.*

## **Community Wide**

### Limitation on Development

- A. **Water Conservation Requirements.** New development resulting in increased water use shall offset such increase through the retrofit of existing water fixtures within the Cambria Community Service District's service area, or through other verifiable actions to reduce existing water use in the service area. All coastal development permits authorizing such development shall be conditioned to require applicants to provide to the Planning Director for review and approval prior to construction, written evidence of compliance with CCSD Ordinance 1-98, as approved by the CCSD Board of Directors on January 26, 1998, and modified on November 14, 2002, and as codified in the CCSD Code Chapter 4.20 in 2004. Prior to application acceptance, land use and building permit applications shall include a written verification of water and sewer service from the CCSD. Also prior to final building inspection the applicant shall submit a water and sewer service condition compliance letter from the CCSD.

*The project complies with the above standards because the proposed unmanned telecommunications facility will not increase water or sewer demand.*

### Cambria Community Services District Review

Prior to application acceptance, land use and building permit applications shall include a written verification of water and sewer service from the Cambria Community Services District. A water and sewer service condition compliance letter from the Cambria Community Services District shall be provided to the Department of Planning and Building prior to final building inspection.

*The project complies with the above standards because the proposed unmanned telecommunications facility will not increase water or sewer demand and therefore does not require verification of service.*

### Erosion Control

In addition to other applicable requirements of the Coastal Zone Land Use Ordinance, all runoff from impervious surfaces such as roofs, driveways, walks, patios, and/or decks shall be collected and retained on-site to the greatest extent possible. Run-off not able to be retained on-site shall be passed through an effective erosion control device or filtration system approved by the Public Works Department. Impermeable surfaces should be minimized in order to maximize the amount of on-site run-off infiltration.

*The project is conditioned to comply with this standard as the applicant is required to submit an erosion control plan to the Public Works Department at the time of building permit submittal.*

### Landscaping

All areas of the site disturbed by project construction shall be re-vegetated with native, drought and fire resistant species that are compatible with the habitat values of the surrounding forest. Non-native, invasive, fire prone, and water intensive (i.e. turf grass) landscaping shall be prohibited on the entire site. All landscaping and construction practices shall work to maintain and regenerate habitat values. Plant materials shall be used to mimic or enhance naturally occurring vegetation. Materials shall be propagated from appropriate native stock to ensure that the gene pool is not diluted for endemic species. This is particularly true for Monterey Pines and riparian plantings. A list of prohibited plants, such as Pampas grass and Scotch broom, is available from the Department of Planning and Building. Use of plants listed in the California Invasive Plant Council (Cal IPC) Invasive Plant Inventory is prohibited.

*The project is conditioned to comply with all landscaping requirements.*

### Exterior Lighting

Use only the minimum amount necessary to achieve essential illumination. All light fixtures, including security lighting, shall be aimed and shielded so that the direct illumination shall be confined to the property boundaries of the source. Particular care is to be taken to assure that the direct illumination does not fall onto or across any public or private street or road. Motion sensing light fixtures shall be fully shielded and properly adjusted, according to the manufacturer's instructions, to turn off when detected motion ceases. All light fixtures are required to be fully shielded.

*The project does not propose exterior lighting.*

## **Residential Single Family**

### Height Limitation

Per the North Coast Area Plan, the maximum allowable height in the Residential Single Family land use category is 28 feet above average natural grade. However, telecommunications facilities are exempt from this height limit, with the maximum allowable height determined instead during the discretionary permit process based on visual resource considerations. In this case, the proposed antenna would be visually integrated into a replacement PG&E utility pole and would be consistent with the visual expectations for the site.

## COASTAL ZONE LAND USE ORDINANCE STANDARDS

### **Section 23.01.043(c)(3)(i): Appeals to the Coastal Commission (Coastal Appealable Zone)**

The project is appealable to the Coastal Commission because the subject parcel is located in an Environmentally Sensitive Habitat Area (Terrestrial Habitat).

### **Section 23.07.080: Geologic Study Area (GSA) Combining Designation**

The proposed project is located within a Geologic Study Area (GSA) combining designation, and is subject to Section 23.07.080 Geologic Study Area.

*This section does not apply because the project is for the construction of an unmanned telecommunications facility and site disturbance would be limited to construction of a 50 square-foot concrete pad.*

### **Section 23.07.120: Local Coastal Program**

The project site is located within the California Coastal Zone as established by the California Coastal Act of 1976, and is subject to the provisions of the Local Coastal Program.

### **Section 23.07.170(e)(1-5) Environmentally Sensitive Habitat (ESH) Development Standards**

1. New development within or adjacent to the habitat shall not significantly disrupt the resource.
2. New development within the habitat shall be limited to those uses that are dependent upon the resource.
3. Where feasible, damaged habitats shall be restored as a condition of development approval.
4. Development shall be consistent with the biological continuance of the habitat.
5. Grading adjacent to Environmentally Sensitive Habitats shall conform to the provisions of Section 23.05.034.c (Grading Standards.)

*This project is located within a Sensitive Resource Area (SRA) and Environmentally Sensitive Habitat Area (ESHA) due to its location in the Cambria Monterey Pine forest. The project complies with ESHA development standards 1-5 above because the facility will result in minimal ground disturbance (approximately 50 square feet) in an area containing non-native grasses. No native vegetation will be removed or disturbed as a result of this project.*

### **Section 23.07.176 Terrestrial Habitat Protection**

The subject parcel supports a mapped Terrestrial Habitat (TH) combining designation, and is subject to Section 23.07.176 Terrestrial Habitat Protection. This section implements development standards for protection of Terrestrial Habitat. Specifically, that re-vegetation with native plants occurs where vegetation is removed, and that “readily-identifiable barriers that will protect the surrounding native habitat areas” be used to ensure protection during grading and construction.

*This project complies with the TH development standards, as no pine or oak trees are proposed for removal.*

### **Section 23.08.284 – Communications Facilities**

This Section of the Land Use Ordinance (Title 23) contains specific land use permit and application content requirements as well as siting and design standards for proposed wireless communications facilities. As described below, the proposed project meets these requirements:

#### Radio Frequency Analysis

Section 23.08.284(a)(2) requires applications for communications facilities to provide estimates of non-ionizing radiation generated and/or received by the facility. These shall include estimates of the maximum electric and magnetic field strengths at the edge of the facility site and the extent that measurable fields extend in all directions from the facility.

*The project complies with this requirement because the applicant supplied a report to evaluate the proposed communications facility for compliance with appropriate guidelines limiting human exposure to radio frequency (RF) electromagnetic fields. According to the RF report for this project (Hammett & Edison, Inc.; January 11, 2016), the public exposure RF emissions limit from the proposed facility would be equivalent to 0.72 percent of the applicable public exposure limit. The maximum calculated level of RF emissions at the second-floor elevation of any nearby residence (located at least 55 feet away) would be less than 0.73 percent of the FCC standard. The report concludes that the facility would operate within the FCC standards for RF emissions.*

#### Permit Requirements

Section 23.08.284(b)(1) requires Minor Use Permit approval for proposed wireless communications facilities that are either a) installed on existing structures, or b) co-located at existing communications facility sites. Conditional use permit approval is required for all other communications facilities.

*This project is eligible for Minor Use Permit approval because the proposed antenna is to be mounted on a replacement PG&E wooden pole located in the County right-of-way.*

#### Development Standards

According to Section 23.08.284(b)(3), the preferred placement for new wireless communications facilities is on existing structures, completely hidden from public view or painted and blended to match existing structures. In addition, all facilities shall be screened with vegetation or landscaping. Where screening with vegetation is not feasible, the facilities shall be disguised to resemble rural, pastoral architecture (e.g. windmills, barns, trees) or other features determined to blend with the surrounding area and be finished in a texture and color deemed unobtrusive to the neighborhood in which it is located.

*The Verizon Wireless antenna will be placed on a replacement wooden PG&E power pole and will be painted to blend with the replacement wooden pole. The proposed ground-mounted equipment would be located at the base of the pole and would be screened from public view by a wooded fence. As conditioned, the proposed antenna, RRUs, coaxial*

*cables, and associated mounting brackets shall be painted a non-reflective color to match the wooden utility pole and the jumper cables and wires shall have the least amount of slack as technically feasible.*

## COASTAL PLAN POLICIES

Following is a list of the Coastal Plan Policies (discussion of applicable policies following):

Shoreline Access:	N/A
Recreation and Visitor Serving:	N/A
Energy and Industrial Development:	N/A
Commercial Fishing, Recreational Boating and Port Facilities:	N/A
Environmentally Sensitive Habitats: <input checked="" type="checkbox"/>	Policy No(s): 1, 3, 29, and 30
Agriculture:	N/A
Public Works:	N/A
Coastal Watersheds: <input checked="" type="checkbox"/>	Policy No(s): 8 through 10
Visual and Scenic Resources:	Policy No: 2
Hazards:	N/A
Archaeology:	N/A
Air Quality:	N/A

***Does the project meet applicable Coastal Plan Policies:*** Yes, as conditioned.

## COASTAL PLAN POLICY DISCUSSION

### ***Archaeological Resources:***

**Policy 1: Protection of Archaeological Resources.** *The project is consistent with this policy because the applicant supplied a Phase 1 archaeological assessment (EBI Consulting; April 25, 2016), which concluded that the project site is not sensitive for the presence of significant prehistoric and/or historical archaeological resources.*

### ***Environmentally Sensitive Habitats:***

**Policy 1: Land Uses Within or Adjacent to Environmentally Sensitive Habitats.** *The proposed project is consistent with this policy because it is located on a previously disturbed/landscaped site, and there are no native trees to be removed.*

**Policy 3: Habitat Restoration.** *The proposed project is consistent with this policy because the proposed project would not result in the removal Monterey pine trees or other native vegetation. The proposed ground equipment is located in the county right-of-way and would not remove nor indirectly impact onsite trees or other native vegetation.*

**Policy 29: Protection of Terrestrial Habitats.** *The project is consistent with this policy because the proposed telecommunications facility is a permitted use on the site*

*and is located in a previously disturbed area. The applicant proposes no disturbance to existing trees.*

**Policy 30: Protection of Native Vegetation.** *The project is consistent with this policy because no native trees or vegetation will be removed.*

***Coastal Watersheds:***

**Policy 8: Timing of Construction and Grading.** *The proposed project is conditioned to comply with this policy as the project shall have an erosion and sedimentation control plan where grading is conducted or left in an unfinished state during the period from October 15 through April 15.*

**Policy 9: Techniques for Minimizing Sedimentation.** *The proposed project is conditioned to comply with this policy as the applicant shall apply Best Management Practices in the selection and implementation of site maintenance.*

**Policy 10: Drainage Provisions.** *The proposed project is conditioned to comply with this policy as the applicant shall provide a drainage plan to San Luis Obispo County Public Works Department for review and approval, and shall implement the approved drainage plan, showing that construction of the addition will not increase erosion or runoff.*

***Visual and Scenic Resources:***

**Policy 2:** *Site Selection for New Development. Permitted development shall be sited so as to protect views to and along the ocean and scenic coastal areas. Wherever possible, site selection for new development is to emphasize locations not visible from major public view corridors. The proposed project is consistent with this policy since the proposed antenna and RRUs would visually blend with the replacement utility pole and the ground equipment would be screened by a wooden fence.*

**COMMUNITY ADVISORY GROUP COMMENTS**

On February 17, 2016, the North Coast Advisory Council unanimously voted to recommend approval of the proposed project.

**AGENCY REVIEW**

Public Works – The utility pole owner must grant permission for use of their pole. An encroachment permit (a discretionary permit) would be required to place proposed equipment within the right-of-way.

Environmental Health – Applicant shall submit a hazardous materials business plan for the proposed cell site.

#### LEGAL LOT STATUS

The unmanned telecommunications facility for Verizon Wireless will be co-located on a replacement utility pole within the county right-of-way on Oxford Avenue, midway between Emmons Road and Kerwin Street, in the community of Cambria.

Staff report prepared by Airlin M. Singewald and reviewed by James Caruso.